
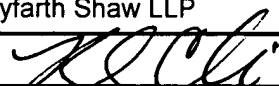
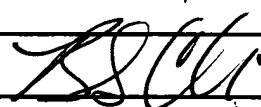


Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

 TRANSMITTAL FORM (Do not use for all correspondence after initial filing)	Application Number	09/805,950	
	Filing Date	03/15/2001	
	First Named Inventor	Senior, Rodney	
	Art Unit	3625	
	Examiner Name	Mark A. Fadok	
Total Number of Pages in This Submission	30	Attorney Docket Number	

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Postcard
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Seyfarth Shaw LLP		
Signature			
Printed name	Brian S. Clise		
Date	06/11/2008	Reg. No.	47,497

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or printed name	Brian S. Clise	Date	06/11/2008

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Approved for use through 07/31/2006. OMB 0851-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

PTO/SB/17 (01-06)

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL for FY 2006

SEP 06 2005

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)**60.00**

Complete if Known

Application Number **09/805,950**
Filing Date **3/15/01**
First Named Inventor **Senior, Rodney**
Examiner Name **Robert E. Rhode, Jr.**
Art Unit **3625**
Attorney Docket No. **54082/000001**

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____

☒ Deposit Account Deposit Account Number: **19-1351** Deposit Account Name: **Seyfarth Shaw LLP**

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee
☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION (All the fees below are due upon filing or may be subject to a surcharge.)

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Small Entity	Fee (\$)	Small Entity	Fee (\$)	Small Entity	Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Small Entity	Fee (\$)	Fee Paid (\$)
Each claim over 20 (including Reissues)	50	25	
Each independent claim over 3 (including Reissues)	200	100	
Multiple dependent claims	360	180	
Total Claims	Extra Claims	Fee (\$)	Fees Paid (\$)
- 20 or HP = _____ x _____ = _____			

HP = highest number of total claims paid for, if greater than 20

Indep. Claims	Extra Claims	Fee (\$)	Fees Paid (\$)
- 3 or HP = _____ x _____ = _____			
HP = highest number of independent claims paid for, if greater than 3			

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 = _____ /50= _____ (round up to a whole number) x _____ = _____				


4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): **1 month extension fee**

60.00

SUBMITTED BY

Signature  Registration No. **47,497** Telephone **312-460-5805**
(Attorney/Agent)
Name (Print/Type) **Brian S. Clise** Date **08/31/06**

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

American LegalNet, Inc.
www.USCourtForms.com



APPLICANT: Rodney Senior

APPL. SERIAL NO.: 09/805,950

FILING DATE: 03/15/2001

ENTITLED: Electronic Quantity Purchasing System

CERTIFICATE OF EXPRESS MAILING

EXPRESS MAIL MAILING NUMBER: EM 050967922US

DATE OF DEPOSIT: June 11, 2008

I hereby certify that the attached paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37CFR 1.10 on the date indicated above and is addressed to Mail Stop: Petitions, Commissioner for Patents, Box 1450, Alexandria, VA. 22313-1450

Mary Lou Whitaker
(Name of person mailing paper)

Mary Lou Whitaker
(Signature of person mailing paper)

Documents Included:

- Petition Fee Transmittal
- Transmittal Form
- Petition Under 37CFR 1.181 For Nunc Pro Tunc Payment Of Extension Of Time Fee Or, In The Alternative, Withdrawing The Holding Of Abandonment (28 pgs.)
- Certificate of Certified Mailing
- Return Receipt Postcard

06-12-08

DAC

PTO/SB/17p (01-08)

Approved for use through 06/30/2008. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION FEE

Under 37 CFR 1.17(f), (g) & (h)

TRANSMITTAL

(Fees are subject to annual revision)

Send completed form to: Commissioner for Patents
P.O. Box 1450, Alexandria, VA 22313-1450

Application Number	09/805,950
Filing Date	03/15/2001
First Named Inventor	Senior, Rodney
Art Unit	3625
Examiner Name	Mark A. Fadok
Attorney Docket Number	

Enclosed is a petition filed under 37 CFR 1.182 that requires a processing fee (37 CFR 1.17(f), (g), or (h)). Payment of \$ _____ is enclosed.

This form should be included with the above-mentioned petition and faxed or mailed to the Office using the appropriate Mail Stop (e.g., Mail Stop Petition), if applicable. For transmittal of processing fees under 37 CFR 1.17(i), see form PTO/SB/17i.

Payment of Fees (small entity amounts are NOT available for the petition fees)☒ The Commissioner is hereby authorized to charge the following fees to Deposit Account No. 19-1351:☒ petition fee under 37 CFR 1.17(f), (g) or (h)☒ any deficiency of fees and credit of any overpayments

Enclose a duplicative copy of this form for fee processing.

☐ Check in the amount of \$ _____ is enclosed.☐ Payment by credit card (Form PTO-2038 or equivalent enclosed). Do not provide credit card information on this form.**Petition Fees under 37 CFR 1.17(f): Fee \$400 Fee Code 1462**

For petitions filed under:

§ 1.36(a) - for revocation of a power of attorney by fewer than all applicants

§ 1.53(e) - to accord a filing date.

§ 1.57(a) - to accord a filing date.

§ 1.182 - for decision on a question not specifically provided for.

§ 1.183 - to suspend the rules.

§ 1.378(e) - for reconsideration of decision on petition refusing to accept delayed payment of maintenance fee in an expired patent.

§ 1.741(b) - to accord a filing date to an application under § 1.740 for extension of a patent term.

Petition Fees under 37 CFR 1.17(g): Fee \$200 Fee Code 1463

For petitions filed under:

§ 1.12 - for access to an assignment record.

§ 1.14 - for access to an application.

§ 1.47 - for filing by other than all the inventors or a person not the inventor.

§ 1.59 - for expungement of information.

§ 1.103(a) - to suspend action in an application.

§ 1.136(b) - for review of a request for extension of time when the provisions of section 1.136(a) are not available.

§ 1.295 - for review of refusal to publish a statutory invention registration.

§ 1.296 - to withdraw a request for publication of a statutory invention registration filed on or after the date the notice of intent to publish issued.

§ 1.377 - for review of decision refusing to accept and record payment of a maintenance fee filed prior to expiration of a patent.

§ 1.550(c) - for patent owner requests for extension of time in *ex parte* reexamination proceedings.§ 1.956 - for patent owner requests for extension of time in *inter partes* reexamination proceedings.

§ 5.12 - for expedited handling of a foreign filing license.

§ 5.15 - for changing the scope of a license.

§ 5.25 - for retroactive license.

Petition Fees under 37 CFR 1.17(h): Fee \$130 Fee Code 1464

For petitions filed under:

§ 1.19(g) - to request documents in a form other than that provided in this part.

§ 1.84 - for accepting color drawings or photographs.

§ 1.91 - for entry of a model or exhibit.

§ 1.102(d) - to make an application special.

§ 1.138(c) - to expressly abandon an application to avoid publication

§ 1.313 - to withdraw an application from issue.

§ 1.314 - to defer issuance of a patent.

Brian S. Clise

Typed or printed name

06/11/2008

Date

47,497

Registration No., if applicable

This collection of information is required by 37 CFR 1.17. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 5 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Applications of: Senior, Rodney)

CUSTOMER NO.

Serial Nos.: 09/805,950)

27717

11/810,638 ✓)

Title: ELECTRONIC QUANTITY)

PURCHASING SYSTEM)

Date: June 11, 2008)

Group Art Unit: 3625)

Examiner: Mark A. Fadok)

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**PETITION UNDER 37 CFR 1.181 FOR NUNC PRO TUNC PAYMENT OF EXTENSION
OF TIME FEE OR, IN THE ALTERNATIVE, WITHDRAWING THE HOLDING OF
ABANDONMENT**

Sir:

Applicant hereby seeks to properly ensure co-pendency between USSN 09/805,950 (the "Parent" application) and USSN 11/810,638 (the "CIP" application). This Petition relates to Applicant's desire to ensure that the Patent Office properly charges Applicant in the referenced Parent application for an extension of time fee for 3 months in the amount of \$525.00 for a small entity.

BACKGROUND FACTS

The Parent application received a Final Rejection mailed December 13, 2006, and having a 3-month shortened statutory period for reply. Applicant did not respond to the Final rejection,

06/13/2008 HVUONG1 00000028 191351 11810638

01 FC:2253 525.00 DA
02 FC:2453 770.00 DA
03 FC:1462 400.00 DA

instead filing the CIP application on June 6, 2007. The filing receipt for the CIP application recognized the claim of priority to the Parent.

Under the patent rules, there are a number of proper courses to establish co-pendency between the Parent and the CIP application, such as filing the CIP prior to the 3-month period due date. Once the 3-month due date has passed, an extension of time fee must be paid in the parent application in order to claim co-pendency. Applicant had on a number of occasions previously authorized the Patent Office to charge any necessary extension of time fees to Applicant's counsel's Deposit Account. However, to Applicant's knowledge, the Patent Office did not charge such fees in this case.

PETITION REQUEST UNDER RULE 181

Applicant in the first instance hereby petitions under 37 CFR §1.181 for *nunc pro tunc* payment of the extension of time fee in the Parent application in order to establish co-pendency with the CIP application. Applicant relies on repeated statements requesting payment of any necessary fees, including specific references to 37 CFR 1.17 for extension of time fees, to be charged to the deposit accounts of Applicant's representatives.

The patent rules state under 37 CFR §1.136(a)(3):

A written request may be submitted in an application that is an authorization to treat any concurrent or future reply, requiring a petition for an extension of time under this paragraph for its timely submission, as incorporating a petition for extension of time for the appropriate length of time. An authorization to charge all required fees, fees under § 1.17, or all required extension of time fees will be treated as a constructive petition for an extension of time in any concurrent or future reply requiring a petition for an extension of time under this paragraph for its timely submission. Submission of the fee set forth in § 1.17(a) will also be treated as a constructive petition for an extension of time in any concurrent reply requiring a petition for an extension of time under this paragraph for its timely submission.

The following requests were made during the prosecution of the Parent application:

A. The Fee Transmittal submitted with the initial filing by Applicant's former counsel Ralph A. Dowell on March 15, 2001, was Form PTO/SB/17 including a box checked for "Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17." (Tab A). It is noted that the Bib Data Sheet prepared by the Patent Office and recording the filing fee does not recognize this request. (Tab B).

B. On July 27, 2001, in response to a Notice to File Missing Parts, a petition for extension of time was filed by Mr. Dowell including the statement "Any deficiencies in the extension of time fees may be charged to Deposit Account No. 04-1577." (Tab C).

C. On July 28, 2004, in response to a first Office Action, a petition for extension of time was filed by Mr. Dowell including the statement "Any deficiencies in the extension of time fees may be charged to Deposit Account No. 04-1577." (Tab D).

D. On February 22, 2005, a Request for Continued Examination (RCE) was filed, and the Transmittal therefor was Form PTO/SB/30 including a box checked for Fees, Other "any deficiencies." (Tab E).

E. Concurrent with the RCE on February 22, 2005, a Supplemental Response to Final Office Action was filed including a petition for extension of time including the statement "Any additional fees may be charged to deposit account 04-1577." (page 16 of the Supplemental Response being included here as Tab F).

F. On September 19, 2005, a Response to Non-Final Office Action was filed along with a petition for extension of time including the statement "The statutory fee of \$60.00 for the 1 month extension is submitted herewith and any deficiencies may be charged to Deposit Account No. 04-1577." (Tab G).

G. On August 31, 2006, Applicant's counsel Brian S. Clise filed a response to a Non-Final Office Action that included the statement "If any other fees are due in connection with this application, the Patent Office is authorized to deduct the fees from Deposit Account No. 19-1351." (page 13 of the response being included here as Tab H).

H. Concurrent with filing the response on August 31, 2006, a Fee Transmittal on Form PTO/SB/17 was filed including the box checked for "Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17." (Tab I).

With respect to the CIP application, a Fee Transmittal on Form PTO/SB/17 was filed with the initial application on June 6, 2006, including the box checked for "Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17." (Tab J).

Accordingly, it is believed that Applicant, by and through its representatives, repeatedly made blanket authorizations to charge any fees in connection with the application, and specific authorizations to charge extension of time fees, to the representatives' deposit accounts. Such authorizations were made in both the Parent and the CIP application. As noted above, the Bib Data form prepared by the Patent Office failed to record and acknowledge the original authorization for fees due under 1.16 and 1.17.

Therefore, Applicant respectfully petitions under 1.181 for *nunc pro tunc* payment of the extension of time fee under 1.17 in order for the date of abandonment of the Parent application to be June 13, 2007, so that co-pendency is proper between the Parent and the CIP applications. Authorization is hereby given to charge Deposit Account No. 19-1351 for a petition fee under 1.182 and 1.17(f) in the amount \$400.00 for the present request, or for any other fees in connection with this filing. In the event said request under 1.181 is granted, authorization is also explicitly given to charge said extension of time fee under 1.17(a)(3) in the amount of \$525.00,

or any other amount deemed proper. Please indicate attorney reference number 54082-TRANS on the account statement.

ALTERNATIVE PETITION REQUEST UNDER RULE 137(b)

In the event the above request under 1.181 is denied, Applicant petitions alternatively under 1.137(b) that the Parent application was abandoned unintentionally, specifically, to revive the above-identified abandoned Parent application due to Unintentional Delay. In accordance with § 1.137(b), Applicants hereby aver that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR § 1.137(b) was unintentional.

The facts above are herein incorporated. Petitioner hereby states that the entire delay in filing the required reply from the due date for the reply until the filling of a grantable petition pursuant to 37 CFR 137(b) was unintentional. It should be evident that Applicant, by and through its representatives, has always authorized and requested the payment of any fees that should be due to be paid.

Authorization is hereby given to charge Deposit Account No. 19-1351 for a petition fee under 1.17(m) in the amount \$750.00 for the present request for a small entity, or for any other fees in connection with this filing. In the event this request under 1.137(b) is granted, please consider the required "Reply" to be the CIP application.

OTHER REMARKS

As the Parent application was filed after June 8, 1995, no terminal disclaimer is required.

Under MPEP §402.02, Associate Power of Attorney practice has been eliminated. The undersigned counsel, Brian S. Clise, files the present paper under 37 CFR 1.34 as acting in a representative capacity. It is noted that the undersigned was formerly attorney-of-record but a

revocation of such has been filed. Submitted herewith under Tab K is an Affidavit from current attorney-of-record Robert J. Tosti authorizing representative capacity for the sole purpose of filing the present paper before the Patent Office.

Respectfully submitted,

Seyfarth Shaw LLP
131 South Dearborn Street
Suite 2400
Chicago, Illinois 60603
312-460-5000

By


Brian S. Clise

Reg. No. 47,497

TAB A

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PTO/SB/17 (08-00)
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE
For use through 10/31/2002. OMB 0651-0032**FEE TRANSMITTAL
for FY 2000**

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$)**395.00****Complete if Known**

Application Number	
Filing Date	15 March 2001
First Named Inventor	Senior
Examiner Name	
Group Art Unit	
Attorney Docket No.	13620

METHOD OF PAYMENT (check one)

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number	04-1577
Deposit Account Name	

☒ Charge Any Additional Fee Required Under 37 CFR 1.18 and 1.17☐ Applicant claims small entity status. See 37 CFR 1.27

- 2.
- ☒
- Payment Enclosed:**

☒ Check ☐ Credit card ☐ Money Order ☐ Other**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 690	201 345	Utility filing fee	355
106 310	206 155	Design filing fee	
107 480	207 240	Plant filing fee	
108 690	208 345	Reissue filing fee	
114 150	214 75	Provisional filing fee	

SUBTOTAL (1) (\$)**355****2. EXTRA CLAIM FEES**

Total Claims	Extra Claims	Fee from below	Fee Paid
5	-20** =		
1	-3** =		
Multiple Dependent			

**or number previously paid, if greater; For Reissues, see below

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 78	202 39	Independent claims in excess of 3
104 260	204 130	Multiple dependent claim, if not paid
109 78	209 39	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for ex parte reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 380	216 190	Extension for reply within second month	
117 870	217 435	Extension for reply within third month	
118 1,360	218 680	Extension for reply within fourth month	
128 1,850	228 925	Extension for reply within fifth month	
119 300	219 150	Notice of Appeal	
120 300	220 150	Filing a brief in support of an appeal	
121 260	221 130	Request for oral hearing	
138 1,510	138 1,510	Petition to Institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,210	241 605	Petition to revive - unintentional	
142 1,210	242 605	Utility issue fee (or reissue)	
143 430	243 215	Design issue fee	
144 580	244 280	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Petitions related to provisional applications	
126 240	126 240	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	40
146 690	246 345	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 690	249 345	For each additional invention to be examined (37 CFR § 1.129(b))	
179 690	279 345	Request for Continued Examination (RCE)	
189 900	169 900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)**40****SUBMITTED BY**

Name (Print/Type)	Ralph A. Dowell	Registration No. (Attorney/Agent)	26,868	Telephone	703 415 25555
Signature		Date	15 Mar 2001		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

TAB B



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov



Bib Data Sheet

CONFIRMATION NO. 3634

SERIAL NUMBER 09/805,950	FILING DATE 03/15/2001 RULE	CLASS 705	GROUP ART UNIT 2161	ATTORNEY DOCKET NO. 13620	
APPLICANTS Rodney Senior, Fort Myers, FL; ** CONTINUING DATA ***** <i>per</i> THIS APPLN CLAIMS BENEFIT OF 60/189,472 03/15/2000 ** FOREIGN APPLICATIONS ***** <i>lv</i>					
IF REQUIRED, FOREIGN FILING LICENSE GRANTED.. SMALL ENTITY ** ** 04/27/2001					
Foreign Priority claimed <input type="checkbox"/> yes <input checked="" type="checkbox"/> no 35 USC 119 (a-d) conditions <input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> Met after met Verified and Acknowledged <i>Allowance</i> Examiner's Signature <i>[Signature]</i> Initials <i>[Initials]</i>		STATE OR COUNTRY FL	SHEETS DRAWING 11	TOTAL CLAIMS 5	INDEPENDENT CLAIMS 1
ADDRESS 000293					
TITLE Electronic quantity purchasing system					
FILING FEE RECEIVED 355	FEES: Authority has been given in Paper No. _____ to charge/credit DEPOSIT ACCOUNT No. _____ for following:		<input type="checkbox"/> All Fees <input type="checkbox"/> 1.16 Fees (Filing) <input type="checkbox"/> 1.17 Fees (Processing Ext. of time) <input type="checkbox"/> 1.18 Fees (Issue) <input type="checkbox"/> Other _____ <input type="checkbox"/> Credit		

TAB C



H4

03CO #4
#

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Rodney Senior
Appl. No. : 09/805,950
Filed : 03/15/2001
Title : ELECTRONIC QUANTITY PURCHASING SYSTEM

Grp./A.U. : 2161
Examiner :

Docket No. : 13620

Honorable Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

REQUEST FOR EXTENSION OF TIME

It is respectfully requested that a one month extension of time, until July 27, 2001, be granted in which to respond to the Notice to File Corrected Application Papers dated April 27, 2001. The statutory fee of \$55.00 for the one month extension is attached. Any deficiencies in the extension of time fees may be charged to Deposit Account No. 04-1577.

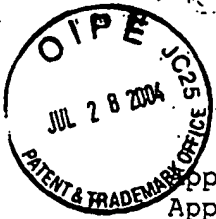
Respectfully submitted,

Ralph A. Dowell
Registration No. 26,868
Date: July 27, 2001

DOWELL & DOWELL, P.C.
Suite 309
1215 Jefferson Davis Highway
Arlington, Virginia 22202
Telephone (703) 415-2555

07/31/2001 MYUSUF1 00000115 09805950
01 FC:215 55.00 DP

TAB D



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

3625/8
41

Applicant : Rodney Senior
Appl. No. : 09/805,950
Filed : 3/15/2001
Title : ELECTRONIC QUANTITY PURCHASING SYSTEM
Grp./A.U. : 3625
Examiner : Robert E. Rhode, Jr.

Docket No.: 13620

Honorable Commissioner of Patents
Alexandria, VA 22313-1450

RECEIVED

AUG 3 - 2004

GROUP 3600

REQUEST FOR EXTENSION OF TIME

It is respectfully requested that a 3 month extension of time, until July 28, 2004, be granted in which to respond to the Initial Office Action dated January 28, 2004. The statutory fee of \$475.00 for the 3 month extension is attached. Any deficiencies in the extension of time fees may be charged to Deposit Account No. 04-1577.

Respectfully submitted,

DOWELL & DOWELL, P. C.

Ralph A. Dowell, Reg. No.: 26,868

Date: July 28, 2004

DOWELL & DOWELL, P. C.
Suite 309, 1215 Jefferson Davis Highway
Arlington, Virginia 22202
Telephone: (703) 415-2555

07/29/2004 EABUBAK1 00000009 09805950

01 FC:2253

475.00 OP

TAB E



RCE \$
1000

PTO/SB/30 (09-04)
Approved for use through 07/31/2008. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Request for Continued Examination (RCE) Transmittal

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	09/805,950
Filing Date	03/15/2001
First Named Inventor	Senior, Rodney
Art Unit	3625
Examiner Name	Rhode Jr., Robert E.
Attorney Docket Number	13620

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

- Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
 - ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
 - ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
 - ☒ Other Response filed 01/31/2005 and Response filed herewith
 - ☒ Enclosed
 - ☒ Amendment/Reply
 - ☐ Affidavit(s)/ Declaration(s)
 - ☐ Information Disclosure Statement (IDS)
 - ☒ Other 1 Month Extension of Time
- Miscellaneous**
 - ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
 - ☐ Other _____
- Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed. The Director is hereby authorized to charge the following fees, or credit any overpayments, to
 - ☐ Deposit Account No. _____ I have enclosed a duplicate copy of this sheet.
 - ☐ RCE fee required under 37 CFR 1.17(e)
 - ☐ Extension of time fee (37 CFR 1.136 and 1.17)
 - ☒ Other any deficiencies
 - ☒ Check in the amount of \$ 455.00 enclosed
 - ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED			
Signature		Date	02/22/2005
Name (Print/Type)	Ralph A. Dowell	Registration No.	26,868

CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.	
Signature	
Name (Print/Type)	
Date	

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

02/24/2005 H88HED1 00000072 09005950 395.00 DP 01 FC:2801

TAB F

An earnest effort has been made to place this application in condition for allowance. It is submitted that claims 6-25 are distinguishable over the cited prior art and any combination thereof. Favorable consideration and allowance of the claims is solicited.

Should the Examiner have any questions regarding this response or the amendments being submitted, it would be appreciated if the Examiner would contact the undersigned attorney-of-record at the telephone number shown below for further expediting the prosecution of the application.

A request for a one month extension of time was submitted with applicant's response filed January 31, 2005. Any additional fees may be charged to deposit account 04-1577.

Respectfully submitted,

DOWELL & DOWELL, P.C.

By 

Ralph A. Dowell, Reg. No. 26,868

Date: February 22, 2005

DOWELL & DOWELL, P.C.
Suite 406, 2111 Eisenhower Avenue
Alexandria, VA 22314
Telephone - 703 415-2555
Facsimile - 703 415-2559
E-mail - dowell@dowellpc.com

TAB G



1FW
3628
~~44~~

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Rodney Senior
Appl. No. : 09/805,950
Filed : 3/15/2001
Title : ELECTRONIC QUANTITY PURCHASING SYSTEM
Grp./A.U. : 3625
Examiner : Robert E. Rhode, Jr.

Docket No.: 13620

Honorable Commissioner of Patents
Alexandria, VA 22313-1450

REQUEST FOR EXTENSION OF TIME

It is respectfully requested that a 1 month extension of time, until September 19, 2005, be granted in which to respond to the Non-Final Office Action dated May 19, 2005. The statutory fee of \$60.00 for the 1 month extension is submitted herewith and any deficiencies may be charged to Deposit Account No. 04-1577.

Respectfully submitted,

DOWELL & DOWELL, P. C.

DOWELL & DOWELL, P. C.
Suite 406, 2111 Eisenhower Ave.
Alexandria, VA 22314
Telephone: (703) 415-2555

Ralph A. Dowell, Reg. No.: 26,868
Date: September 19, 2005

09/20/2005 JADD01 00000138 09805950

01 FC:2251

60.00 DP

TAB H


Appl. No. 09/805,950
Response to Office Action mailed on May 3, 2006

of Attorney and Change of Correspondence Address and a postage prepaid Post Card to be date stamped acknowledging receipt of the above-mentioned correspondence.

If any other fees are due in connection with this application, the Patent Office is authorized to deduct the fees from Deposit Account No. 19-1351. If such withdrawal is made, please indicate the attorney docket number (54082-000001) on the account statement.

Respectfully submitted,

Seyfarth Shaw LLP
Attorneys for Applicant
131 S. Dearborn Street
Chicago, Illinois 60603-5577
312-460-5000

By 
Brian S. Clise
Reg. No. 47,497

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

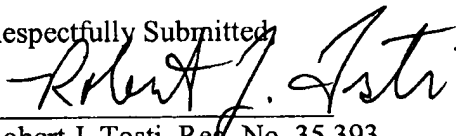
In re the Applications of: Senior, Rodney)
Serial Nos.: 09/805,950)
11/810,638)
Title: ELECTRONIC QUANTITY)
PURCHASING SYSTEM)
Date:)
Group Art Unit: 3625)
Examiner: Mark A. Fadok)

**AFFIDAVIT OF ROBERT J. TOSTI AUTHORIZING REPRESENTATIVE CAPACITY
UNDER 37 CFR 1.34 FOR FILING OF PETITION**

I, Robert J. Tosti, declare as follows.

1. I am registered to practice before the U.S. Patent and Trademark Office and associated with the law firm of Cooley Godward Kronish LLP, customer number **58249** ("Cooley").
2. I and the other patent attorneys and agents associated with Cooley have Power of Attorney in both of the above-identified applications.
3. As Applicant's representative, I hereby authorize and aver that Brian S. Clise has representative capacity under 37 CFR 1.34 to file a Petition Under 37 CFR 1.181 for Nunc Pro Tunc Payment of Extension of Time Fee or, In the Alternative, Withdrawing the Holding of Abandonment, such filing being concurrent with the filing of this Affidavit.
4. Any questions regarding the present Affidavit and the concurrent Petition may be directed to me.

Respectfully Submitted



Robert J. Tosti, Reg. No. 35,393
Attorney for Applicant
Cooley Godward Kronish LLP
The Prudential Tower
800 Boylston Street, 46th floor
Boston, MA 02199
Direct 617-937-2318
Fax 617-937-2400

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004.
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).**FEE TRANSMITTAL**
For FY 2007**Complete If Known**

Application Number	
Filing Date	
First Named Inventor	Rodney Senior
Examiner Name	
Art Unit	
Attorney Docket No.	54082-400190

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$775)

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____☒ Deposit Account Deposit Account Number: 19-1351 Deposit Account Name: Seyfarth Shaw LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	500.00
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES**Fee Description**

Each claim over 20 (including Reissues)

Small Entity Fee (\$)	Fee (\$)
50	25

Each independent claim over 3 (including Reissues)

200	100
-----	-----

Multiple dependent claims

360	180
-----	-----

Total Claims	Extra Claims	Fee (\$)	Fees Paid (\$)
24	- 20 or HP = 3	x 25	= 75

Multiple Dependent Claims Fee (\$)	Fee Paid (\$)

HP = highest number of total claims paid for, if greater than 20

Indep. Claims	Extra Claims	Fee (\$)	Fees Paid (\$)
5	- 3 or HP = 2	x 100	= 200

HP = highest number of independent claims paid for, if greater than 3

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
	- 100 =	/50 =	(round up to a whole number) x	=

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): _____

Fee Paid (\$)

SUBMITTED BY

Signature

Registration No. 47,497
(Attorney/Agent)

Telephone 312-460-5000

Name (Print/Type)

Brian S. Clise

Date 06/06/2007

This collection of information is required by 37 CFR 1.138. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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